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7 Attorneys for the Federal Defendants  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 JAMES POINT,

14 Plaintiff,

15 v.

16 UNITED STATES POSTAL SERVICE,  
17 KELVIN HILL, and DOES 1-10, inclusive,

18 Defendants.

No. C 07-6398 JSW

STIPULATION AND [PROPOSED]  
ORDER REGARDING AMENDED  
COMPLAINT

19 STIPULATION

- 20 1. On or about December 18, 2007, plaintiff James Point filed a Federal Tort Claims Act  
21 ("FTCA") complaint against the United States Postal Service ("USPS") and Kelvin Hill.  
22 2. The parties hereby stipulate and agree to the filing of an amended complaint to substitute  
23 the United States for the USPS and Mr. Hill as the defendant in this FTCA action. Plaintiff shall  
24 file an amended complaint substituting the United States for the USPS and Mr. Hill by April 9,  
25 2008.  
26 3. The parties further stipulate and agree that the United States' response to the amended  
27 complaint shall be due 60 days after plaintiff files his amended complaint.  
28 4. The undersigned counsel for the federal defendants agrees to accept service of the  
amended complaint for the United States.

MAR-25-2008 10:00 From:US ATTORNEY

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To:5108411666

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1 5. The United States agrees that it will not assert any defense to the amended complaint  
2 based on the absence of the USPS or Mr. Hill as parties to plaintiff's FTCA action.

3 IT IS SO STIPULATED.


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5 DATED: March 26, 2008

Respectfully submitted,

6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

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9 JENNIFER S. WANG  
10 Assistant United States Attorney


11 DATED: March 25, 2008

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13 GREGORY P. BROCK  
14 YORK & BROCK  
15 Attorney for Plaintiff

16  
17 ~~[PROPOSED]~~ ORDER

18 IT IS SO ORDERED.

19 Dated: March 27, 2008

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21 JEFFREY S. WHITE  
22 UNITED STATES DISTRICT COURT JUDGE  
23  
24  
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STIP. AND [PROPOSED] ORDER RE: AMENDED COMPL.  
C07-6398 JSW